

Docket No.: 4605-001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

JOHN BLUMENTHAL *et al.*

U.S. Patent Application No. 10/647,895

Filed: August 26, 2003

For: METHOD OF AND APPARATUS FOR AERATING BODIES OF WATER

:
:
: Confirmation No. 3576
:
: Group Art Unit: 3617
:
: Examiner: Andrew Wright

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AUG 15 2005

DECLARATION OF JOHN BLUMENTHAL

I, John Blumenthal, hereby declare as follows:

1. I am currently employed by The Power House, Inc., the owner of Springston, U.S. Patent, 4,247,261. I have been employed by Power House, Inc. for approximately the last 35 years and currently serve as the President of this company.

2. Power House, Inc. has been selling a product including the structure disclosed in the Springston patent for approximately the last 25 years. The device has been used as a deicer for docks and for docked boats. To my knowledge, when the deicer has been used on boats, the boats were always docked. The motors of the deicers, to my knowledge, were always connected to shore power supplies. The types of boats on which the deicers are carried do not have power supplies sufficient to power the motors of the deicers. The motors were, to my knowledge, always connected to shore supplies. To my knowledge, the deicers have never had the motors thereof driven by a power source while a boat carrying a deicer was underway.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


John Blumenthal